

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1461 of 2020

Arising Out of PS. Case No.-1435 Year-2017 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. Nachki Devi Wife of Sudarshan Prajapati Resident of Village - Masoi, P.S.- Chainpur, Distt - Kaimur (Bhabua)
 2. Sukul Prajapati @ Sukul Prasad Son of Late Basanti Prajapati Resident of Village - Mokari, P.S.- Bhabua, Distt - Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sheopujan Prajapati @ Sheepujan Kumhar Son of Kanta Prajapati Resident of Village - Masoi, P.S.- Chainpur, Distt - Kaimur (Bhabua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2020 Heard learned counsel for the parties.

The petitioners apprehends their arrest in Protest-cum-
Complaint Case No. 1435 of 2017 registered for the offence
punishable under Sections 302/34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner
that the petitioner no.1 is wife of the deceased and petitioner
no.2 is brother of petitioner no.1. It is further submitted that
similar F.I.R. was lodged by the informant, in which it has been
alleged that dead body of his brother Sudarshan Prajapati was
brought at his home by the wife of Sudarshan Prajapati
(deceased), namely, Nachki Devi (petitioner no.1) and her



brother Sukul Prajapati (petitioner no.2) and they stated that the deceased had consumed poison and died at his Sasural. It is alleged that the deceased was murdered by the petitioners by administering poison. In fact, after investigation, the police submitted final form stating therein that the wife of the informant and accused petitioner no.1 were full sisters and there were dispute of property between them and on account of which the informant has implicated the petitioners in this case. The final report was submitted on the ground of lack of evidence.

In view of the facts and circumstances, as stated above, in the event of arrest or surrender within a period of six weeks from today, let the petitioners above named be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Bhabua, Kaimur in connection with Complaint Case No.1435 of 2017 on the following conditions:

(1) PetitionerS shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

nawalkrs/-

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